



01204.00005.2

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
ALEXANDER W. CLARK ET AL.)
Application No.: 10/056,028)
Filed: January 28, 2002)
For: AUTOMATED)
MICROBIOLOGICAL TESTING)
APPARATUS AND METHOD)
THEREFOR)
Examiner: D. Redding
Group Art Unit: 1744
April 23, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION-OF-SPECIES REQUIREMENT

Sir:

In response to the Office Action dated March 23, 2004, Applicants hereby
elect Species I, on which Claims 57-67 are readable, for initial prosecution on the merits.

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first-class mail in an envelope addressed
to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-
1450 on

April 23, 2004

(Date of Deposit)

RAYMOND A. DIPERNA (Reg. No. 44,063)

(Name of Attorney for Applicant)

Raymond A. DiPerna
Signature

April 23, 2004

Date of Signature

Favorable consideration and early passage to issue of the present application are respectfully requested.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


Attorney for Applicants

Registration No. 44,063

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 423732v1